

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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PETRA EVA ELISE GEIGER,

Petitioner,

v.

**ORDER**

Civ. No. 12-1588 (MJD/TNL)

JOHN NORBERT HERBECK,

Respondent.

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Anton Champion, Law Office of Anton Champion, LLC, Counsel for Petitioner.

Valerie Arnold, Arnold, Rodman & Pletcher PLLC, Counsel for Respondent.

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The Court heard argument in this matter on July 31, 2012. An evidentiary hearing is scheduled for August 15, 2012. At the July 31 hearing, the parties raised an issue not adequately briefed: Assuming Sweden is the country of habitual residence, whether Respondent's retention of the child in the United States by securing the child's passport pending custody proceedings in Minnesota state court constitutes a breach of Petitioner's custody rights under the law of Sweden. The Court seeks additional briefing on that issue. The Court is also aware that Petitioner is currently required to leave the United States by

September 20, 2012. The Court now directs her to make efforts to extend that date should this or other custody proceedings require additional time.

**IT IS HEREBY ORDERED that:**

1. The parties shall submit simultaneous briefs directed at the issue discussed above, not to exceed ten pages, on or before August 7, 2012;
2. The minor child shall not be removed from the United States of America pending further order from this Court. Counsel for Respondent shall turn over child N.D.G.H.'s passport to the Clerk of Court by 12:00 p.m. on August 3, 2012 pending the Court's determination herein;
3. Respondent shall pay reasonable living expenses of Petitioner and the child until the conclusion of these proceedings;
4. As discussed at the July 31, 2012 hearing, the parties shall seek the services of the Hennepin County Guardian ad Litem program in establishing a fair and equitable visitation schedule and report back to the Court as to the resolution of the visitation issue;
5. Petitioner is directed to apply to the United States Citizenship and Immigration Services for an extension of the stay permitted under her current visa.

Date: July 31, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court